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FILED
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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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7 Attorneys for Plaintiff, ASHLEY MATCHETT WOODS

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 ASHLEY MATCHETT WOODS

CV

08

Case No.:

1299

11 Plaintiff,

12 v.

13 CIGNA GROUP INSURANCE. and
14 DOREMUS & COMPANY

15 Defendants.

**COMPLAINT FOR BENEFITS
UNDER LONG TERM DISABILITY
EMPLOYEE BENEFIT PLAN**

BY FAX

16 Plaintiff, ASHLEY MATCHETT WOODS, alleges as follows:

- 17
- 18 1. This action is brought under 29 U.S.C. §§ 1132(a), (e) and (f), §§ 502(a), (e) and
 - 19 (f) of the Employee Retirement Income Security Act of 1974 (hereinafter "ERISA").
 - 20
 - 21 2. The events or omissions giving rise to plaintiff's claim occurred in this judicial
 - 22 district, thus venue is proper here pursuant to 28 U.S.C. § 1391(b)(2).
 - 23
 - 24 3. Defendant, CIGNA GROUP INSURANCE, is an entity of unknown form, an
 - 25 ERISA Plan, the administrator of an ERISA plan, and/or an employee welfare benefit plan
 - 26 established by plaintiff's employer, DOREMUS & COMPANY.
 - 27
 - 28

1 4. Defendant, DOREMUS and COMPANY is an entity of unknown form, plaintiff's
2 employer, an ERISA Plan, the administrator of an ERISA plan, and/or an employee welfare
3 benefit plan ("the Plan"). (CIGNA GROUP INSURANCE and DOREMUS and COMPANY are
4 collectively referred to herein as "DEFENDANTS.")

5 5. At all times relevant, plaintiff ASHLEY MATCHETT WOODS ("WOODS") was
6 a resident of the County of Marin County, California and a participant in the Plan.

7 6. The Plan provides long-term disability income insurance to employees who
8 become disabled, in an amount equal to 60% of the employee's gross monthly earnings.

9 7. Before becoming disabled, WOODS worked as an Account Director at
10 DOREMUS and COMPANY.

11 8. While the plan was in effect, WOODS became, and remains, totally disabled as
12 defined in the Plan. WOODS has been and continues to be disabled due to System Lupus
13 Erythematosus and the symptoms thereof.

14 9. After she became disabled as defined in the plan, WOODS tendered a claim to
15 DEFENDANTS. Defendant denied WOODS's claim and refused to pay Long Term Disability
16 benefits to her. WOODS appealed the wrongful denial of her claim for benefits and
17 DEFENDANTS refused to reverse the decision. WOODS appealed the denial of her first appeal
18 and DEFENDANTS again refused to reverse the decision.

19 10. DEFENDANTS' decisions and determinations with respect to WOODS's claim,
20 as set forth herein, were wrongful, unreasonable, irrational, sorely contrary to the evidence,
21 contrary to the terms of the Plan, the policy and contrary to law.

22 11. As a direct and proximate result of the DEFENDANTS' decisions and
23 determinations, WOODS has been deprived of said benefits from the time of DEFENDANTS
24 denial to the present date.

25 12. As a further direct and proximate result of the denial of benefits, WOODS has
26 been required to incur attorney fees to pursue this action, and is entitled to have such fees paid by
27 DEFENDANTS pursuant to 29 U.S.C. § 1132(g) (1), ERISA § 502(g) (1).

1 4. For reasonable attorney fees incurred in this action;

2 5. For such other and further relief as the Court deems just and proper.

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5 Dated: March 5, 2008

DELFINO GREEN & GREEN

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8 William Green
9 Attorney for Plaintiff
10 ASHLEY MATCHETT WOODS
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United States District Court
NORTHERN DISTRICT OF CALIFORNIA

Ashley Matchet Woods

E-filing

SUMMONS IN A CIVIL CASE

CASE NUMBER:

V.

CIGNA Group Insurance and Doremus &
Company

TO: (Name and address of defendant)

CIGNA Group Insurance Company
12225 Greenville Avenue, Suite 1000
Dallas, TX 75243-9337

Doremus & Company
530 Bush Street
San Francisco, CA 94108

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

William Green
DELFINO GREEN & GREEN
1010 B Street, Suite 320
San Rafael, CA 94901
(415) 442-4646

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK

DATE

MAR 5 2008

(BY) DEPUTY CLERK

BY FAX